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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/760,388	01/10/2001	Juha Punnonen	02-102320US	2485

30560 7590 11/15/2002

MAXYGEN, INC.  
515 GALVESTON DRIVE  
RED WOOD CITY, CA 94063

EXAMINER

EWOLDT, GERALD R

ART UNIT	PAPER NUMBER
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1644

DATE MAILED: 11/15/2002

12

Please find below and/or attached an Office communication concerning this application or proceeding.



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Please find below a communication from the EXAMINER in charge of this application

Commissioner of Patent

**Notice of Non-Compliant Amendment (37 CFR 1.121)**

The amendment filed on **6/26/02** is considered non-compliant because it has not been submitted in the format required under 37 CFR 1.121, as amended on September 8, 2000 (see 65 Fed. Reg. 54603, Sept. 8, 2000, and 1238 O.G. 77, Sept. 19, 2000).

- ☐ 1. The amendment does not include a clean version of the replacement paragraph(s)/section(s). 37 CFR 1.121(b)(1)(ii).
- ☐ 2. The amendment does not include a marked-up version of the replacement paragraph(s)/section(s). 37 CFR 1.121(b)(1)(iii).
- ☐ 3. The amendment does not include a clean version of the amended claim(s). 37 CFR 1.121(c)(1)(i).
- ☐ 4. The amendment does not include a marked-up version of the amended claim(s). 37 CFR 1.121(c)(1)(ii).
- ☐ 5. Other: Claim 68 has been improperly amended. In the amendment filed 4/13/01, the phrase "Th0 and/ or Th 1" has been added to the claim without being identified in the marked-up version of the claim.

Since the response appears to be **bona fide**, but through an apparent oversight or inadvertence failed to provide a complete response, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication should be directed to Examiner **G.R. Ewoldt**, Art Unit **1644**, whose telephone number is **703-308-9805**.

Any inquiry of a general nature or relating to the status of this application should be directed to the Technology Center receptionist whose telephone number is (703) 308-0196.

G.R. Ewoldt, Ph.D.  
Patent Examiner  
November 12, 2002